
SUBSTITUTE SENATE BILL 5459

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Government Operations & Elections (originally sponsored by Senators Shin, Schmidt, Berkey and Esser)

READ FIRST TIME 02/21/05.

1 AN ACT Relating to recorded instruments; and amending RCW 65.04.045
2 and 65.04.080.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 65.04.045 and 1999 c 233 s 12 are each amended to read
5 as follows:

6 (1) When any instrument is presented to a county auditor or
7 recording officer for recording, the first page of the instrument shall
8 contain:

9 (a) A top margin of at least three inches and a one-inch margin on
10 the bottom and sides, except that an instrument may be recorded if a
11 minor portion of a notary seal, incidental writing, or minor portion of
12 a signature extends beyond the margins;

13 (b) The top left-hand side of the page shall contain the name and
14 address to whom the instrument will be returned;

15 (c) The title or titles, or type or types, of the instrument to be
16 recorded indicating the kind or kinds of documents or transactions
17 contained therein immediately below the three-inch margin at the top of
18 the page. The auditor or recording officer shall be required to index
19 only the title or titles captioned on the document;

1 (d) Reference numbers of documents assigned or released with
2 reference to the document page number where additional references can
3 be found, if applicable;

4 (e) The names of the grantor(s) and grantee(s), as defined under
5 RCW 65.04.015, with reference to the document page number where
6 additional names are located, if applicable;

7 (f) An abbreviated legal description of the property, and for
8 purposes of this subsection, "abbreviated legal description of the
9 property" means lot, block, plat, or section, township, range, and
10 quarter/quarter section, and reference to the document page number
11 where the full legal description is included, if applicable;

12 (g) The assessor's property tax parcel or account number set forth
13 separately from the legal description or other text.

14 (2) All pages of the document shall be on sheets of paper of a
15 weight and color capable of producing a legible image that are not
16 larger than fourteen inches long and eight and one-half inches wide
17 with text printed or written in eight point type or larger. All text
18 within the document must be of sufficient color and clarity to ensure
19 that when the text is imaged all text is readable. Further, all pages
20 presented for recording must have at minimum a one-inch margin on the
21 top, bottom, and sides for all pages except page one, except that an
22 instrument may be recorded if a minor portion of a notary seal,
23 incidental writing, or minor portion of a signature extends beyond the
24 margins, be prepared in ink color capable of being imaged, and have all
25 seals legible and capable of being imaged. No attachments, except
26 firmly attached bar code or address labels, may be affixed to the
27 pages.

28 (3)(a) When any instrument, except those generated by governmental
29 agencies, is presented to a county auditor or recording officer for
30 recording, the document may not contain the following information: (i)
31 A social security number; (ii) a date of birth identified with a
32 particular person; or (iii) the maiden name of a person's parent so as
33 to be identified with a particular person.

34 (b) A county auditor or recording officer has no duty or
35 responsibility to verify that an instrument presented for recording
36 complies with (a) of this subsection. Liability under this chapter
37 does not accrue to a county auditor or recording officer if an

1 instrument that does not comply with (a) of this subsection is
2 recorded.

3 (4) The information provided on the instrument must be in
4 substantially the following form:

5 This Space Provided for Recorder's Use

6 When Recorded Return to:

7

8 Document Title(s)

9 Grantor(s)

10 Grantee(s)

11 Legal Description

12 Assessor's Property Tax Parcel or Account Number

13 Reference Numbers of Documents Assigned or Released

14 **Sec. 2.** RCW 65.04.080 and 1996 c 229 s 4 are each amended to read
15 as follows:

16 (1) When any instrument, paper, or notice, authorized or required
17 by law to be filed or recorded, is deposited in or electronically
18 transmitted to the county auditor's office for filing or record, that
19 officer must indorse upon the same the time when it was received,
20 noting the year, month, day, hour and minute of its reception, and note
21 that the document was received by electronic transmission, and must
22 file, or file and record the same without delay, together with the
23 acknowledgments, proofs, and certificates written or printed upon or
24 annexed to the same, with the plats, surveys, schedules and other
25 papers thereto annexed, in the order and as of the time when the same
26 was received for filing or record, and must note on the instrument
27 filed, or at the foot of the record the exact time of its reception,
28 and the name of the person at whose request it was filed or filed and
29 recorded(~~(: PROVIDED, That)~~). However, the county auditor shall not
30 be required to accept for filing, or filing and recording, any
31 instrument unless there appear upon the face thereof, the name and
32 nature of the instrument offered for filing, or filing and recording,
33 as the case may be.

1 (2) When any instrument, except those generated by governmental
2 agencies, is presented to a county auditor or recording officer for
3 recording, the document may not contain the following information: (a)
4 A social security number; (b) a date of birth identified with a
5 particular person; or (c) the maiden name of a person's parent so as to
6 be identified with a particular person.

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